Nevada City Nugget

COVERS RICHEST GOLD AREA IN CALIFORNIA

Vol. 12, No. 33. The County Seat Paper NEVADA CIT Y, CALIFORNIA The Gold Center FRIDAY, APRIL 22, 1938.

From the Californian, March 15, 1848:
The Liberty of the Press consists in the right to publish the Truth, with good motives and for justifiable ends. — Alexander Hamilton

Thinking Out Loud

H. M. L.

While the Governor's Commission now sitting in Nevada City is demonstrating a broad, fair mindedness in its examination of voluntary, unsworn witnesses who appear to give their testimony regarding the recent clashes between the CIO-communists and the community miners and businessmen, the community itself is somewhat at a disadvantage due to the restrictions placed on the scope of the inquiry.

The scope of the inquiry, with few exceptions, is being confined to the question of whether or not the forces of law and order broke down in this county during the expulsion of pickets from the Red Dog road, and in subsequent events immediately following. It is apparent little can appear in the examination of witnesses tending to show that the community as a whole was badgered, bullied and abused over many months by a small militant minority, until its patience was exhausted.

It is the purpose here to set forth in one, two, three, order the salient causes of the recent disturbances, underlying all the demonstrations:

1. About the time the CIO-communists began organizing here, led by John L. Lewis this organization was waxing strong in the automobile and steel industries in the east. There were sit down strikes, "quickie" strikes and other demonstrations of force, in which often minorities were able to enforce their will on majorities. Frequently "the means of production," or the "tools of production" were seized as in the case of several automobile plants. This is good Marxian doctrine, and is one reason the term "CIO-communists" is used by this newspaper. What was transpiring in the east instilled fear in the Nevada county community. Business began to slump and has continued to slump. Instead of spending their money, miners began saving it against the day of "labor trouble."

In this connection it should be noted that not since shortly after the turn of the century had there been any labor trouble in Nevada County. When it seemed probable that there might be trouble in 1919 the Miners Protective league was formed. From its inception the league has been respected and trusted both by mine operators and the business community. In contrast to many other industrial communities throughout the country, this county has enjoyed industrial peace, due largely to the tolerance and respect which workers and employers displayed toward each other. Wages are higher and working conditions better here than elsewhere in California mining communities. With this condition, then, prevalent in Nevada County, there was resentment toward any innovation that might disturb labor conditions here.

2. The Labor Board decision in the Idaho Maryland case came like a bomb shell. The Idaho Maryland had closed its Old Brunswick workings discharging upwards of 90 men, the large majority of whom were CIO-communists. The

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Governor's Commission Hears CIO Version of Injuries Sustained

The Governor's commission of five men began their investigation of the recent labor desturbances in this county Tuesday afternoon. The five commissioners are Judge Isadore Golden of San Francisco, chairman, Frazier Reid of San Jose, Nathan Coombs of Napa, Chauncey Tramutolo of San Francisco, and Monsignor Thomas Horgan of Sacramento.

At the outset, Judge Golden stated that the commission was named for the purpose of obtaining all facts pertaining to the recent disturbances such as would answer the question of whether or not there had been a break down in law and order in this county.

Herbert Resner, attorney for those members of the local CIO organization who had camped on the state fair grounds in Sacramento, proceeded to put on a series of approximately twenty witnesses, the last of whom was Bill Kehaly, president of the local organization. He testified just before adjournment at noon yesterday. He said he lived at 224 Mill street, Grass Valley, and had been employed for 18 months in the North Star, part of the time as timberman. He declared that he believed the preliminary fight of Tuesday afternoon, April 5, when Ed Brisell, a Murchie miner came off shift, attacked one of the pickets, was merely an arranged affair leading up to the battle a couple of hours later around 6 o'clock.

Kehaly said he was with the pickets when the "vigilantes" came up the road, whom he described as marching eight abreast, that he warned the fifty or sixty pickets there to show no resistance, to be peaceful. He said that as the first arrivals of the "vigilantes" appeared, a spokesman, whom he could not identify, stated that this was a committee of tax payers come to clean up the picket line, and demanded that the pickets disperse peacefully.

Clubs anf billies began to fly almost immediately, Kehaly said. Somebody shouted from the bank above the road and back of the "vigilantes" Kehaly declared: "Surround them."

In some manner he said he was hustled across road in the general led across the road in the general melee, without suffering any injury. There a guard told him to climb up on the bank, cursing him the while and with his gun. Kehaly said, he tried to hit him on his head, but missed. He was told to sit down. In the meantime the pickets were "flailed," according to Kehaly, and dispersed. He said the guard then called one of the "vigilantes" asked whether they should throw him in the can or give him a run down the road. The "vigilante" preferred to give him a run, according to Kehaly and this was done.

Kehaly then recounted how he had hunted up Sheriff Tobiassen and found him getting a flat tire fixed in the Nevada City garage. The sheriff took him and a fellow CIO member to their destination. Kehaly asked the sheriff why he had not protected the pickets on the road.

The sheriff stated he had always been against the CIO, but would have been on the road to protect the pickets had he not been caught in a traffic jam. Later in the evening, Kehaly said he joined the crowd in front of CIO headquarters, and while there witnessed an attack by a mob upon the Montana Cafe, presumably the same mob as had been earlier engaged on the Red Dog road. Harry Landry, proprietor, Kehaly said threatened to use his revolver to protect himself and anyone in the cafe. Kehaly with Brown then called on the chief of police, Garfield Robson, but failed to secure, according to Kehaly, any assistance. Kehaly said he left for Sacramento on April 6 and did not return until Tuesday, this week.

A. C. Carrall of Grass Valley, another CIO witness, was not a local member of the CIO but did belong to a CIO cement workers union, and has been working here. He said he worked in the Lava Cap. He came off night shift the morning following the fight with the pickets on the Red Dog road, he related and came down to the CIO office in Commercial street. He stated that they were followed up the street by a police car and drove round the block. The police car left them and they entered the office at the end of their drive. Carroll said there were five in his car. They entered and found several men had already arrived there from Truckee. There were sixteen in all in the room Carroll said. They had been there about ten minutes when a shot came through the window. It proved to be a tear gas shell. A voice, Carroll said, cursed them and told them to come out. They came out and faced sawed off hot guns, rifles and tear gas guns in the hands of deputies. They were lined up against the wall, heartily cursed, for about ten minutes, according to Carroll. Then they were marched to the jail.

City Attorney Frank Finnegan asked Carroll if he knew that Truckee CIO members were coming down to assist the CIO here. Carroll said he did not. Finnegan asked whether the men arriving from Truckee were carrying guns. Carroll said he did not know but stated there were two rifles in the room. He was indefinite regarding where the rifles came from. Carroll stated they were finger printed later in the morning. He said he went to Sacramento April 8, after some one had flashed electric torches through his residence windows.

Alda Saninelli, another witness examined yesterday morning, said he was told to leave Nevada County by Jim Miller and Tony Deschwanden and on Friday, April 8, did go down.

Al Garesio was the first witness yesterday morning. He stated that the lights, water and gas connections in the CIO headquarters had been shut off on the order of Frank Davies, owner of the building.

Joe Carghero, formerly worked at the Murchie, later employed on the old Brunswick when the mine was closed. He related events on the picket line April 5. He said that many of the "vigilantes" were armed with clubs made of single jack handles, with a wrist strap around the butt. Not all were armed, he said. His testimony was very similar to that of Kehaly. In the fracas he sustained five fractured ribs and was knocked unconscious, coming to on a pile of gravel in Ted Janiss yard. When he regained consciousness, he leaned up against the garage there, and seeing an axe and a hatchet secured possesion of them. Presently he said, there appeared a man named Jack Coughlan, whom he assumed to be a deputy because he was carrying a gun, who ordered him to throw down his weapons and surrender. He said he refused to do it and challenged the man to shoot him.

Presently Coughlan went away, and he was able to enter Janiss' home. There he was befriended while "vigilantes" returned searched the premises outside for him. On his home, not far from there, he said he had one more encounter either with a deputy sheriff or a "vigilante" he was not sure which, because it was dark. He was told to "get a move on" and cursed again. He related that some year or so ago Coughlan had endeavored to involve him in a highgrading enterprise while he was employed in the Idaho Maryland, and thought "bad blood" over that episode might explain Coughlan's actions.

Dr. Richard Landis of Grass Valley was called and gave a list of those treated at his clinic on Tuesday evening, April 5. They were as follows; R. B. Bender, scalp lacerations; Carl Rolley, the same; A. C. Terrill, multiple lacerations of scalp and forehead, one day in hospital; Walter Tarbuck, lacerations and con-

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AHDENAH CAMPFIRE GROUP

The Elementary School Parent Teacher Association will meet on Friday afternoon at 2:30 o'clock.

The Ahdenah Group of Campfire Girls will present a program on conservation.

Lacy Jones, Jr., who is attending University of California, left this city Sunday after spending the Easter vacation with his mother, Mrs. Lacy Jones.

ONE MILLION ALLOCATED TO NARROWS DAM

Harley M. Leete,
Editor Nevada City Nugget:

I am glad to tell you that from rivers and harbors appropriation bill reported to House today I have succeeded in having one million dollars allocated to start construction work on Narrows Hydraudic Mining Dam on Yuba River. Money will be available as soon as bill becomes law. Every effort will be made to expedite completion of plans and early letting of contracts.

HARRY L. ENGLEBRIGHT, M. C.

JUDGE MARTIN WELCH TO PRESIDE AT HEARING

George R. Anderson, attorney for the five asserted rioters whose trial is scheduled to be held on Monday, April 25, has filed a motion to disqualify Judge Raglan Tuttle from presiding in the trial.

The motion alleges that the judge is biased and prejudiced against each of the five defendants and he has refused to disqualify himself, under section 170 of the Code of Civil Procedure (later held invalid by the supreme court.)

The motion also objects to Judge Tuttle by reason of his attitude in regard to a defendant asking probation after conviction by a jury.

The remarks of the court on February 8 in passing sentence on Gene Richlin of Grass Valley, who was convicted by a jury of resisting an officer in Grass Valley and then requested probation, are included in the motion. Judge Tuttle is quoted as saying: "I do not permit gambling by a defendant with the jury and then coming in and asking for probation after he is convicted. You know my ruling in regard to that."

Attorney Anderson was in court on the 8th day of February.

The answer of Judge Tuttle denies disqualification and adds: "Attorney Anderson was present in court on the 8th day of February when the court made the remarks regarding the probation for Richlin. Anderson on said date discovered the facts constituting the ground for denying the motion for probation and by reason of his failure to present said ground (for alleged disqualification) at the earliest practicable opportunity said motion is barred by the provisions of section 170 CCP.

The said action is set for trial on April 25th and a venire of 150 citizens has been summoned.

The State Judicial Counsel has assigned Judge Martin L. Welch of the superior court of Sacramento County to preside at the hearing of the motion next Saturday, April 23.

Henry Yuen, Roy Staten, C. E. Circle, Jim Vassion and Pete Zdrich are the defendants in the case. They are charged with rioting on the Murchie road on January 20th and their trial is set for next Monday, at 10 o'clock in Superior Court.

CLAMPERS WILL ELECT OFFICERS THIS EVENING

The members of E Clampus Vitus, William Bull Meek chapter of Deer Creek Diggings, will meet this evening to elect officers. The nomination committee will submit a list of candidates for the following officers.

Noble Grand Humbug, Clamps Petrix, Clamps Vitrix, Royal Platrix, Clamps Mitrix, Grand Surgeon, Grand Farmer, Grand Royal Musician, Damn Fool Doorkeeper, Noble Grand Chiseler, Noble Grand Hangman, Noble Grand Treasurer, Grand Noble Recorder.

The meeting will be held at eight o'clock this evening in the banquet room of the National hotel.

Carlton McCullough left New York on April 13 for Venezuela to take the position of junior engineer for the New Goldfield Mining Company of Venezuela on a two year contract. Mrs. McCullough, who is at present with her parents, Mr. and Mrs. W. E. Wright, plans to leave for Venezleua in about three months by which time a house will be built for them.

SUNDAY NIGHT SERVICE IN TRINITY CHURCH

Services will be held in the Trinity Episcopal church Sunday evening, it was announced lasl night by R. L. P. Bigelow, senior warden. Arch Deacon B. G. Lee of Sacramento will conduct the services and he will also take charge of the following night's service. After that it is expected to resume regular Sunday services in the morning.

CIO OFFICE IN NEVADA CITY IS OCCUPIED AGAIN

The CIO communists resumed occupancy of their quarters in the Frank Davies building yesterday afternoon shortly after 3 o'clock. They were warned by the chief of police, Garfield Robson that they should have a court order and the permission of the owner. The lock was sawed through and the door opened. Otto Kron, once widely reported dead as a result of the Red Dog road battle April 5, led the CIO members into their old quarters. He told the chief of police that forced entry to the building had the sanction of the district attorney and the governor's commission. A small crowd gathered in the street to watch the CIO members return to their old quarters. Joe Garesio, recording secretary, and Bill Kehaly, pesident of the local organization, at once took possession.

DR. HUMMELT IS ROTARY SPEAKER

It was announced at Rotary luncheon yesterday that there will be a delegation of at least fourteen members and their wives, sweethearts, will attend the meeting of the charter night celebration of Roseville Rotary, which has just been organized. The members who will go are: Carroll Coughlan and friend, Mr. and Mrs. Charles Elliott, Mr. and Mrs. 9ndy Holmes, Mr. and Mrs. Nye Johnson, Helm Kjorlie, Mr. and Mrs. Andy Larsen, Mr. and Mrs. Harley M. Leete, Mr. and Mrs. Oscar Odegaard.

Dr. Bernard Hummelt gave a description of the entire digestive process at yesterday's meeting. He illustrated his talk with X-ray photographs of food being digested as it passed down the alimentary canal.

Oscar Odegaard, past president, presided. Andy Holmes paid a record fine on a triple event, one of which was his election to be president of Nevada City Rotary club for the year beginning July 1.

BILLION DOLLAR SUIT FILED BY CIO REFUGEES

A deputy U. S. marshall was in this city yesterday serving out armful of subpoenas upon the citizens named in a billion dollar suit.

One hundred members of the International Union of Mine, Mill and Smelter Workers of Nevada County, a Commiteee for Industrial Organization affiliate, who Tuesday left a state relief camp in Sacramento to return to Nevada County today are petitioners in a suit for a sum totaling $1,196,000,000.

A revised check of the demands made in the suit, filed in the San Francisco federal court Wednesday indicates that each of the 100 men who charge they were deported from Nevada County early this month is suing for a total of $11,960,000 from the 1,096 defendants, all residents or corporations of Nevada County, Each of the 100 plaintiffs seeks judgment for $10,000 from each of the 1,096 defendants.

The arguments on the petition for injunctions against interference with the CIO unit in Nevada County and its individual members, which accompanied the damage suit, will be heard in Sacramento on May 2nd.

In San Francisco yesterday Federal Judge A. F. St Sure signed an order directing the defendants—ninety six named specifically and 1,000 by John Doe—to show cause why a temporary restraining order should not be issued. He set the May 2nd date in Sacramento for the hearing.

The petition, accompanied by numerous affidavits from the miners, asserts the mine employes were driven from their homes and employment and deprived of their civil rights as defined by the federal constitution.

LARGEST JURY PANEL DRAWN IN NEVADA CO.

The jury panel drawn for the trial of James Vassion, E. C. Circle, Pete Zdrich, Henry Yuen, and Roy Staton charged with rioting on the Red Dog road on January 20, consists of 180 citizens, the largest panel ever drawn in the Nevada county superior court.

District Attorney Vernon Stoll will conduct the prosecution and George W. Anderson, San Francisco attorney, who has appeared in many similar cases will represent the defendants.

The jurors have been selected to appear in three sections as follows:

For Monday, April 25

Nevada Township—Grace Melba Crase, Doris M. Hardt, Nettie M. Gildersleeve, Alice M. Stanley, Robert Nye, Alice M. Langman, Harry Davey, George Dulac, Eleanor E. Schreiber, Clem T. Davis, Alfred V. Sauvee, Ethel P. Sutton, Leila Garwood, Edward Holland, Lile Pascoe, Lillian Davidson, Agnes C. Worthley, Edward J. Pollard, Elva Bonner.

Grass Valley Township—George F. Bennetts, Fred J. Mounday, Jr., William Goggin, Fred S. Carroll, Carl W. Sahl, Charles M. Woodberry, Thomas W. Osborne, Walter R. McCrea, James R. Cornish, John D. Tupper, Dearisteen A. Bray, James S. Sampson, Harriet M. Nettell, Sadie Sinock, William T. Rasleigh, John B. Luther, Albert Leuteneker, Paul J. Jenks, Harold Biggs, Louis R. Gorky, Albert J. Ahearn, Lauren Lane.

Little York Township—J. F. Ryan, Louis Schillinger, Thomas Duffy.

Eureka Township — George W. Brown.

Bloomfield Township — Winona Landsburg, John H. Weiler, Paul I. Dudley, Ray P. Carter.

Bridgeport Township — Frank Nugent, Langlie B. Dorris.

Washington Township —John A. Crowley.

Rough and Ready Township—Dick Cole, Norman F. Bever.

Meadow Lake Township—Adolph Schmidt, Martin Johnson, S. A. Follett, Joe Mattos, Jeanette L. Burns, Anthoy Pace.

For Tuesday, April 26

Nevada Township—Rolfe Buffington, George R. Carter, William E. Wyman, Ada Garthe, Bessie Widauf, Frank L. Sartoscelli, Emma Graham, Elsie Dent, Beatrice P. Hogue, Lucille B. Krough, Joseph W. Hartman.

Grass Valley Township—William Sampson, William Spargo, Fred J. Conway, Norman Foote, Lydia Teague, Ethel Hampton, Bernice C. Glasson, Dorothy B. Austin, Raymond I. Blackwood, August Wolfe, Agnes S. Campbell, Alonzo LeDuc, Eugene W. Chester, Martha F. Key, John Bone, Eugene Pingree, Ethel Prisk, Viola P. Shirkey, Pauline C. Matteson, James J. Rowe, Alice P. Hendon, Warner Westlake, George Melton, Ann Bennallack, Paul J. Ferguson, Stephen J. Cocking, Belle Brake, William K. Manuel, Sam Heidenheim, Arthur G. Hill, Fred Sweeney, Oliver Phillips, Louetta Steel, Howard Wasley, Hilda Sandow, Albert B. Thomasson.

Bloomfield Township — Herbert W. Eaton, Archie Miller.

Rough and Ready Township — H. W. Sprague, Leonard Lind.

Bridgeport Township — Charles Ennis, Claud M. Sitton.

Washington Township —Irving J. Fowler.

Meadow Lake Township —J. H. Divin, Katherine Ghirard, John T. McAdam, Nora A. Gilman, Frank F. Kearney, Jess B. Maxson, Sr.

For Wednesday, April 27

Nevada Township—Edward M. Addington, Annie Godfrey, Frances Eilerman, Helen Kiefer, William E. Stewart, Evelyn R. Lake, Lionel C. Davies, Gwendolyn F. Anderson, Ethel R. Rundy, Lilly A. Young, Herbert Skeahan, Ludwig Netz, Bertha Hargrave, Danie Joseph Coughlan, David A. Davies, Cameron A. Larsen, Alma Marsh, Ted Edwards, Norman E. Crone, Jessie McGiniis, Harold M. Haley.

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Nevada City Nugget

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H. M. LEETE ..... Editor and Publisher

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CIO Version

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tusions; William Masterson, multiple lacerations; J. Roberts, the same; John Uzlac, two scalp wounds and other injuries, one day in hospital; John Kron, scalp wounds, loss of blood, not very coherent on arrival at hospital, where he remained one day; Robert Bender, scalp lacerations; James Hamilton, lacerated scalp; Pete Selok, multiple lacerations; William Masterson, Jr., contusions on forehead. There were fourteen in all who were treated by Dr. Landis.

Mrs. Vivian Kemper, secretary to Dr. Landis, testified that there was some commotion in the room where the men were waiting to be treated, and looking out the window she saw eight or ten men group near a service station across the street. She locked the door of the hospital, phoned the Grass Valley police, and failing to get a response there called up the state traffic office. She said presently a state patrol car appeared. She was busy and paid no further attention to the occurrence, but said that no attempts were made to enter the premises save by those injured.

During the afternoon yesterday a prepared statement signed by William Simkins and Robert Hendricks of the Newmont Mining Co., Ltd. was submitted to the Governor's Commission, with the provisio it could go into the record, but that they would refuse to be cross examined because they had recently been made defendants in a civil suit filed by one hundred Nevada County CIO members.

Herbert Resner, CIO attorney, attempted Wednesday, to secure a secret or closed meeting of the commission to hear four or five business men of Nevada County, who Resner stated, wanted to testify but did not wish their names to be mentioned. Nathon Coombs, commissioner from Napa said he would have nothing to do with such a proceeding, which he characterized as un-American. Resner seemed disappointed.

Considerable part of the proceedings yesterday afternoon was taken up in arguments between City Attorney Frank Finnegan and District Attorney Vernon Stoll on the one hand and Attorney Herbert Resner for the CIO on the other.

Resner's efforts to have introduced into the records nswepaper accounts of the labor disturbances during the April 5th week were not successful.

Both Kehally and Albert A. Garesio, financial secretary of the union who was recalled to the stand for a brief time, evaded direct answers to City Attorney Finnegan's questions as to whether they believed the Murchie men had a right to go back to work.

Attorney Resner of the CIO Wednesday requested the commission to request that William Simkins, Empire-Star Company, Ltd., official and Robert Hendricks, general manager of the Murchie mine, testify.

Both were in court yesterday afternoon and through their attorney, Lynne Kelly, were agreeable to present to the commission a written statement.

Neither Hendricks and Simkins were willing to submit to cross examination so Chairman Golden ruled against the statement being presented in evidence.

Kelly stated the men are defendants in the $1,940,000,000 civil suit brought by the CIO union and did not wish to submit to a cross examination which might be used against them later on.

When Garesio was recalled to the stand, Attorney Finnegan asked him if a strike vote had been taken before the strike was called at the Murchie mine on January 15th.

He said last September the union called for a strike vote and that by a two-thirds majority the CIO members voting decided to strike. He said at that time strike action was postponed but the executive committee was empowered to call a strike if "further rank discrimination was shown by the Murchie management against our members."

Garesio testified on January 14, eight CIO members were fired at the Murchie. He said the executive board of the union met that night, the 8 men voted for a strike, and the next day a picket line was placed at the mine.

Garesio said when the strike vote was taken about 40 of the 240 men employed at the Murcrie voted. He said the CIO union had about 70 members at the mine. His testimony before the interim committee of the assembly was that out of 35 men voting, 23 voted to strike the Murchie.

He admitted no demands had been made upon the mine management prior to the calling of the strike but denied the strike was contrary to the by laws of the union.

Dr. Daniel L. Hirsch of Grass Valley was the first witness placed on the stand as Attorney Finnegan began the defense against the CIO charges "vigilantes" took over law and order in Nevada County during the hectic week of April 5th.

Dr. Hirsch described the organization of the Committee of 5000, formed March 5, 1937, designed to "oppose the importation into a peaceful community of outside radical leaders."

In previous statements to the commission, Attorney Resner intimated the recent outbursts had direct connection with the Committee of 5000.

Dr. Hirsch denied the committee had ever been connected with a vigilante movement. He said the committee disbanded a week after it was organized because its purposes were misconstrued.

"It was a good neighbor movement of decent, honest citizens," he said.

After reading a resolution defining the purposes of the committee, Dr. Hirsch said:

"Gentlemen, if this is vigilantism, I'm for it."

Albert Garesio, secretary of the CIO local here, was the first witness called by the CIO attorney, Herbert Reisner. Garesio gave a history of the labor organization here and his version of its various disputes and troubles. He finished with a description of his actions on April 5th, the day the picket line was dispersed and his being taken prisoner in the CIO headquarters on Commercial street.

Garesio stated that he went into the headquarters with 15 other men at 5 a. m. on April 6th. He said that tear gas was fired into the office without warning, and the officers shouted for them to come out. They came out with their hands in the air, according to Garesio, and were led off to the count jail. He stated that no charge was placed against them, and no warrant of arrest was served.

Garesio said that later in the day Sheriff Tobiassen asked him to leave the county, saying "You are in a very serious situation, and I'll try to get you out of the county."

He also alleged that Harley M. Leete, publisher of the Nevada City Nugget came into his "cell" that afternoon and said, "You're in a very ticklish spot. There is a very angry mob out there." Garesio asserted Leete asked him to withdraw from the organization, and to leave the county for 6 months, stating that his family would be provided for. Garesio said he discussed leaving the county with Red Adams and Red Nielsen and with the pleadings of his wife, decided to leave.

He stated that the sheriff, with five highway patrol cars as escort, led the group to Colfax at 1 a. am, of April 7th, where Garesio was put in a car containing Rolfe Wilson, Mrs. Bonivert and his wife, and they went to Sacramento.

He identified several other people who had accompanied the officers to Colfax, naming Myers Mobley, Arthur Hoge, Jr., Robert T. Ingram of The Morning Union, Dave Richards and Roland Wright.

Garesio admitted that he was not told to get out of the county. He also admitted that District Attorney Vernon Stoll had consulted with him, and advised him to take down the picket line.

William L. (Red) Neilsen, 453 South Auburn street, Grass Valley, and leader of the picket line at the Murchie mine, was the second witness called. Like Garesio, Neilson admitted he had not been told to get out of the county, but stated he left when six or seven cars paraded before his house, and he recognized one of them as belonging to a Murchie miner.

Neilsen described the incident on the Red Dog road when the CIO picket tent had been taken down and also his camera had been taken from him.

He said the Murchie men at that time asked him to disband the picket line, to quit the CIO and come back to work.

A big surprise at the hearing was in the statement of Neilson who asserted that Hugh Williams one time president of the local CIO was a "Pinkerton."

Jim Vassion, born in Greece but a naturalized citizen, veteran and well known local character, was another witness for the CIO. He admitted being charged with rioting and being out of jail on bond. Vassion stated that James Miller, a hoist man at the Murchie, had told him he "didn't want to see him anymore on the street." He admitted that Miller had not told him to leave the county.

Otto Kron, former Lava Cap miner, and publicity chief for the CIO local, was the last witness of the day.

Kron gave his story of the picket line trouble, stating that he believed the fight earlier in the afternoon, in which Ed Brazell was beaten by a picket was "staged". He said he believed Brazell had asked for a fight and was licked by one man only, and that Hubbard, a deputy sheriff, had also told them Brazell had evidently asked for it. Kron admitted that there had been some argument which he could not hear preceding the fight.

He stated he defended himself with a stick of wood, but denied throwing rocks when he was cross examined. (One of the pickets was heaving rocks at the advancing miners the day of the attack on the picket line).

He stated he left the city for Sacramento because on three occasions people tried to break into his house at night, and he was afraid he would be beaten. On cross examination Kron admitted that no one had told him to leave the county but Mrs. Mark Cook, whose status Mr. Kron did not know, but admitted she was interested in his safety.

The Tuesdays session ended at 5:30 p m.

On Wednesday hearings were resumed at 9:30 a. m., the proceedings began with an inquiry by Judge Golden, chairman of the Commission, as to the number of members in the Mine Workers Protective League at the time of the strike. Olney Donnelly answered from the audience there were about 1300, with 10 or 15 at the Murchie mine. It was then asked how many CIO men there were at the Murchie mine and Al Garesio, the secretary, stated there were 120, and Donnelly asked how many were paid up.

Garesio dodged the issue with the statement that owing to the discrimination by the company there were only 60 or 70 paid up.

Donnelly stated that when the lockout was pulled the men were not members of the league but all came in at the same time afterward.

On the witness stand Donnelly said the M. W. P. L. had been organized in 1919 and that National Labor Relations Board had recognized the league as a legitimate union. He repeated his statement there were 15 to 30 MWPL men at the mine when the trouble started, but when work was resumed practically all of the men at the mine joined the league.

Father Horgan of the commission asked, "Is the Mine Workers League recognized by the mine operators?" Donnelly repeated "By all, but the Murchie mine." To corroborate this he read a copy of the opinion of the NLFB in the Idaho Maryland case in Grass Valley to compel that company to return the men to their work.

It was also brought out that the Lava Cap was the only mine in the district that had a contract with the CIO.

Herbert Reisner attorney for the CIO then read other portions of this openion to the effect that the MWPL was not recognized as a valid union with a power to act as a bargaining agency.

Attorney Finnegan, representing the city, interposed the objection that the MWPL was not a party to the suit and that Donnelly had not testified at the hearing, but Reisner countered with the statement that Harry Goudge, secretary of the MWPL, had testified. Finnegan also stated the decision against the company was not the league.

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Phone 36 FOR WANT ADS

FOR SALE—1935 Plymouth Coupe. A-1 condition. Call 456 R or write Box 253, Nevada City. 4-22-1tp

FOR SALE — Kelvinator Electric Refrigerator, used. Good condition. Just overhauled. Priced for quick sale. Alpha Stores Ltd., Nevada City. 4-22tf

FOR SALE—2 hp. Fairbanks-Morse gasoline engine; 1 1½-inch Meyers double action pump, 1500 to 2000 gals. hour. Very little use. Price for both $55. Sofge, 1 mile from County Hospital, Willow Valley. 4-18-4tc

FOR RENT — Six room furnished house. Three bedrooms. Central location. For particulars call 521. 4-11-tfc

FOR RENT—Small cottage suitable for bachelor, furnished. $10 per mo. H. F. Sofge, Willow Valley Road, one mile from County Hospital. 4-114tc

MADAM FAY—Palmist, and advisor on all affairs of life. Gives names, dates, facts. Confidential readings. Daily 1 p. m.-9 a. m. Keaton's Auto Cabins. Cot. No. 6, ½mile west of Grass Valley, Hwy. No. 20. Apr. 11-2tp

FOR SALE — 3½ ACRE RANCH HOME; located in foothills of Placer Co., on Highway No. 40-8 miles above Auburn. 8-room frame house; 2 chicken houses hot and cold water; plenty of shade. Terms $1600; ½ cash. Bal on easy terms. Write to owner, Box 54, Applegate, Calif. 12-27-tf

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R. E. HARRIS

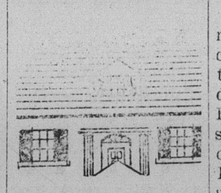
The Rexall Drug Store

PHONE 100

Thru the Knot Hole

A Glimpse of Building Activity

Vol. 1. APRIL 22, 1938. No. 79.



Popularity of modern bathrooms and kitchens made by applying colorful Bestile over the old walls is increasing daily. Several new customers were registered for this fine material during the week.

Contractor Roy Madsen is continuing with the alteration work on the residence of Mr. and Mrs. Dave Richards on Boulder street in Nevada City. This fine home is being further enhanced in appearance.

Boats for the summer fishing are being constructed by a number of the disciples of Isaac Walton. Frank Ghidotti and George Ebaugh have constructed a light boat out in front of Dick Lane's garage where everyone can see the results of their handiwork. Super-Harboard 5-ply Waterproof plywood one half inch in thickness was used for the bottom and 1-8 inch tempered pressed wood for the sides. Result is lightness and strength.

Painting up is the favorite outdoor sport of the moment. Murphy's paint will always give you the whitest white job possible and the mix in yourself pigments will do any color you want and make a real job.

Notice the hot weather a little during the past few days? Better let us figure a Palco Redwood Wool job to keep the heat out this summer and in next winter. Can arrange for application of the insulation if you so desire.

Dame: "Gee, John that steak in the window makes my mouth water."

John, "Well, here is a blotter."

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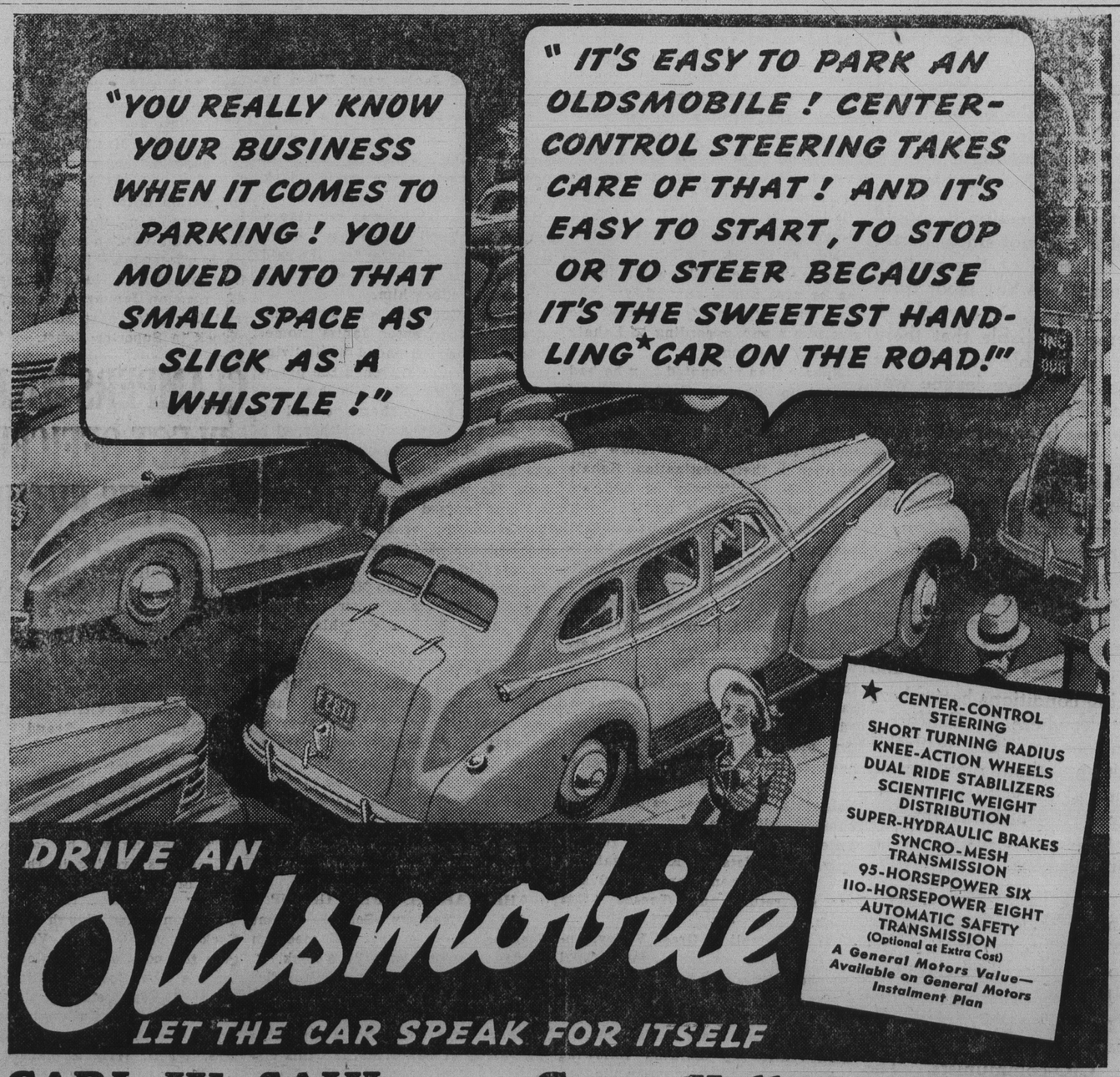
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HIGH SCHOOL NOTES

By MARY MARTZ

The Nevada City high school has been proud of its conduct in the class rooms and during the intermission between classes. However, about a month ago the student body president Cliff Hoff sent a direct challenge at student government when he suggested a student patrol. This patrol is in the halls during the time classes are changed and maintains order and stops all excess noise. The patrol also watches for poor conduct during the noon hour. This patrol is headed by Bill Molthen, who was elected to the office of patrol leader by the student body. He has appointed his helpers who are Harris Mathews, Elton Tobiassen, Karl Kopp, Vella Flindt, Cliff Hoff, Madge Pianezzi, and Eddie Doolittle.

The patrol has been very satisfactory and Bill Molthen stated that he is very glad that the students have cooperated so well. This is just one more instance proving that the Nevada City high school has a good student body, with fine ideas of conduct and sportsmanship and promises of many future good citizens.

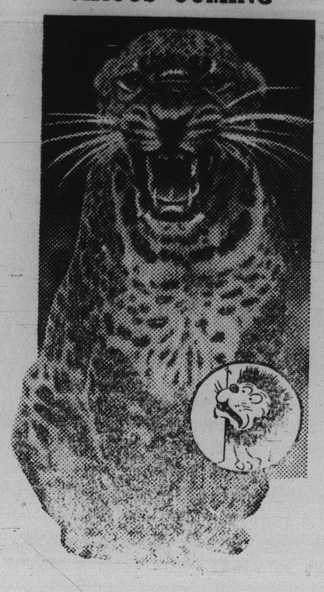
The plans for the junior prom to be held tonight in the gymnasium at the high school are progressing very rapidly. The decoration committee has worked out a very effective theme and are elaborately decorating with the class colors, blue and gold. This is the first formal dance to be given in the new gymnasium, and it promises to be a gala affair. The Foote's eight piece orchestra will furnish the music. It is hoped that there will be good sized crowd to reward the juniors in their efforts to make this dance enjoyable for everyone. Miss Petersen is the class advisor and much credit is due her for the way the preparations are going ahead. All those who want to come should obtain their bids from a junior very soon Spectators are invited and it will be necessary for them to have bids.

Tuesday after school the Nevada City baseball team went to Grass Valley where they played the high school at Memorial Park. The game was one of the first of the season and very exciting. Nine innings were played and the score was tied at 9-9. "Babe" Childers promises to be an outstanding player this year, since he made the most runs of the game. The high school has scheduled more games for the near future and this season will probably show some real activity in baseball.

Mr. and Mrs. E. J. Haverstock returned to their home in Washington yesterday. Mr. Haverstock fully recovered from the small pox some time ago but another illness came on him and delayed their return home until his recovery.

Little Elaine Flynn, daughter of Mr. and Mrs. Harold Flynn, of East Broad street was given a most delightful birthday party on her seventh birthday Saturday, April 16. Several little friends were invited to enjoy the day with her.

CIRCUS COMING



This long whiskered unpleasant chap, along with 30 tough cousins, brothers, sisters, and aunts, will be seen in an amazing routine of tricks with the AL G. BARNES and SELLS FLOTO COMBINED CIRCUS coming to Colfax, Tuesday, May 3.

The trainer is Mabel Stark, world's only woman animal subjugator. Her thrilling daring act is but one of the 1,000 new features offered this season by the big show.

PAST GREAT POCAHONTAS AT PONEMAH COUNCIL

Two palefaces were adopted into Ponemah Council, degree of Pocahontas, at a meeting Monday evening. A large number of visitors were present from Ceonotha Council of Grass Valley M.rs. Jennie Crase, past great Pocahontas, paid her official visit as a representative of the Great Pocahontas.

Mildred and Dave Tobiassen, children of Sheriff and Mrs. Carl Tobiassen, rendered tap dancing numbers, a skit portraying old maids and bachelors, and a mock wedding were numbers on the program. Mrs. Crase, grand officer, was presented with a gift and bouquet of flowers. Dainty refreshments were served at the close of the evening.

VARIETY STUDIO PROGRAM

The Broadway Theatre in Nevada City will present a gay scene tonight when Nevada City and Grass Valley children take part in a delightful performance of tap, acrobatic and ballet dancing. The program is being put on by the Variety Studio of Grass Valley with Mrs. Lorraine Strain as principal instructor.

The same performance was put on in Grass Valley about a month ago and proved so interesting that by popular request it is being presented here. The Variety Studio was formerly the Fanchon-Marco studio.

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Office in Union Building
Phone 28 Nevada City

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LEGAL NOTICES

No. 7166

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF NEVADA.

SUMMONS

Action brought in the Superior Court of the State of California in and for the County of Nevada.

W. E. Wright, Esq., Attorney for Plaintiff, Nevada City, California.

A. L. BEAN, Plaintiff, vs. J. F. RYAN; VERNON C. FISCHER; SOUTHERN PACIFIC LAND COMPANY, a corporation; EDD FOOTE; N. J. WILCOXSON, also known as NOAH J. WILCOXSON and ELISE WILCOXSON, also known as ELSIE H.H. WILCOXSON, his wife; RESETTLEMENT ADMINISTRATION, a Federal Agency; GEORGE LESLIE; WILLIAM HARTLEY and MARY N. HARTLEY, his wife; INTER-STATE LAND HOLDING COMPANY, a corporation; ROLAND WRIGHT, as Administrator of the Estate of HENRY FIENE, deceased; and ALSO ALL OTHER PERSONS UNKNOWN, CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE REAL PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S OWNERSHIP, OR ANY CLOUD UPON PLAINTIFF'S TITLE THERETO,

Defendants.

THE PEOPLE OF THE STATE OF CALIFORNIA SEND GREETINGS TO:

J. F. RYAN; VERNON C. FISHER, SOUTHERN PACIFIC LAND COMPANY, a corporation; EDD FOOTE; N. J. WILCOXSON, also known as NOAH J. WILCOXSON, and ELISE WILCOXSON, also known as ELSIE H. H. WILCOXSON, his wife; RESETTLEMENT ADMINISTRATION, a Federal agency; GEORGE LESLIE; WILLIAM HARTLEY and MARY N. HARTLEY, his wife; INTER-STATE LAND HOLDING COMPANY, a corporation; ROLAND WRIGHT, as Administrator of the Estate of HENRY FIENE, deceased; AND ALSO ALL OTHER PERSONS UNKNOWN, CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE REAL PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S OWNERSHIP OR ANY CLOUD UPON PLAINTIFF'S TITLE THERETO, Defendants.

You and each of you are hereby directed to appear and answer the complaint in an action entitled as above, brought against you in the Superior Court of the State of California, in and for the County of Nevada, within ten (10) days after the service upon you of this summons, if served within this County, or within thirty (30) days if served elsewhere.

You are hereby notified that unless you appear and answer as above required the said plaintiff will take judgment against you for any money or damage demanded in the Complaint as arising upon contract, or he will apply to the Court for any other relief demanded in the Complaint.

The said action is brought by the above named plaintiff against the above named defendants, and each of them, to quiet the plaintiff's title to the lands and real property described in the Complaint on file in the said action and hereinafter particularly described, and to determine the adverse claims of the above named defendants, and each of them, and of all unknown persons to, and clouds upon the title to the said real property and the whole thereof pursuant to the provisions of Sections 749, 750 and 751 of the Code of Civil Procedure of the State of California, and that the said real property is situate, lying and being in the County of Nevada, State of California, and particularly described as follows:

Parcel 1: All of that portion of the North half of the Southeast quarter of Section 23, Township 16 North, Range 6 East, Mount Diablo Base and Meridian, situate northerly of Deer Creek.

Parcel 2: All of that portion of the Southwest quarter of the said Southeast quarter of said Section 23, lying Northwesterly of Deer Creek, containing 12 acres, more or less.

Parcel 3: The Southeast quarter of the Norhtwest quarter of said Section 23.

Parcel 4: The Northeast quarter of the Southwest quarter of said Section 23.

Parcel 5: A tract of land containing 3 acres, more or less, situate in the northeast corner of the Southeast quarter of the Southwest quarter of said Section 23, more particularly described as follows:

Commencing on the north and south center line of said Section 23 at a point located 11 chains north of the southeast corner of the southwest quarter of said Section 23; thence along said center line north 9 chains; thence west 7.50 chains; thence in a straight line southeasterly to the point of commencemet.

Parcel 6: All that certain piece or parcel of land situated in the Southwest quarter of Section 23, Township 16 North, Range 6 East, M. D. M. Beginning at a point eleven chains, North from the quarter stake between Sections 23 and 26 and running thence North 38 3-4° West 6.50 chains, thence South 51 1-4° West 6.50 chains; thence South 38 3-4° East 6.50 chains; thence N. 51 1-4° East 6.50 chains to place of beginning. Containing 4.22 acres, more or less.

Parcel 7: All that certain piece or parcel of land situate, lying and being in the Southeast quarter of Southwest quarter of Section 23, Township 16 North, Range 6 East, M. D. M., in the County of Nevada, State of California, more particularly described as follows, to-wit: Commencing at a point on the South line of Section 23; thence East 10.50 chains to quarter section corner; thence North 11 chains; thence South 51 1-4° West 6.50 chains, thence South 38° West 8.81 chains to place of beginning, containing 6.42 acres, more or less.

Parcel 8: Lot North of Deer Creek, being a portion of the Southeast one-quarter of Southwest one-quarter of said Section 23, described as: Commencing at Southwest corner of Doubt's house lot near North end of Fienes Bridge, thence South 75° West 15.46 chains; thence North 17.07 chains; thence East 12.77 chains; thence South 38 3-4° East 5.04 chains; thence South 51 1-4° West 6.50 chains; thence South 38 3-4° East 6.50 chains to point of beginning, containing 20.60 acres, more or less.

Parcel 9: Lot 3 of the Southwest quarter of Section 23, in Township 16 North, Range 6 East, M. D. M., containing 39.96 acres, more or less.

Parcel 10: The East one-half of the Northwest one-quarter and West one-half of Northeast one-quarter of Section 24, Township 16 North, Range 6 East, M. D. M.

That the object of the said action is to obtain the judgment of the Court against the said defendants and each one of them known and unknown as follows:

That all adverse claims to, and all clouds upon the title of the plaintiff to the said real property or any and every part thereof be determined by the judgment and decree of the said Court, and that it be decreed that plaintiff is the sole owner in fee of the said real property and the whole of the said real property herein described, being the same real property described in the complaint of plaintiff on file herein, and that plaintiff is in the possession of the property and entitled to the possession of the said real property, and the whole thereof, and that the defendants have not, and that no one of the said defendants, including the unknown persons made defendants herein, have any right, title, estate, lien or interest of any kind whatsoever, in or to or on the said real property or any part thereof, and that the said defendants and each and every one of them, known and unknown be forever debarred, enjoined and restrained from making or asserting any claim whatsoever in or to the said real property or any part thereof, adverse to plaintiff, and that the title of the said plaintiff in and to the said real property and the whole thereof be forever quieted and adjudged good and valid, and for such other and further additional order, judgment, decree and general relief as is meet and proper in the premises and for costs of suit.

GIVEN UNDER MY HAND and the seal of the Superior Court of the State of California, in and for the County of Nevada, this 9th day of March, 1938.

R. N. McCORMACK.
Clerk of the Superior Court.
(Seal)
By R. E. DEEBLE.
April 8, 15, 22, 29.

CERTIFICATE OF DOING BUSINESS UNDER FICTITIOUS NAME.

State of California,
County of Nevada, ss.

I, the undersigned, hereby certify that I am transacting business in the State of California, in the County of Nevada, under the fictituous name of, the

"NEVADA CITY GARAGE"

and that my full name is Orrin Jesse Tompkins and my place of residence is Nevada City, Nevada County, California.

WITNESS MY HAND this 10th day of March, 1938.

ORRIN JESSE TOMPKINS.

State of California,
County of Nevada, ss.

On this 10th day of March, 1938, before, me, W. E. WRIGHT, a Notary Public in and for the said County and State aforesaid, personally appeared ORRIN JESSE TOMPKINS known to me to be the person whose name is subscribed to the foregoing affidavit and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this Certificate first above written.

(Seal)

W. E. WRIGHT,
Notary Public in and for the County of Nevada, State of California.
Apr. 8, 15, 22, 29.

ORDINANCE NO. 224.

AN ORDINANCE PROHIBITING THE DISCHARGE OF CANNON, FIREARMS, FIREWORKS, OR ANY EXPLOSIVE SUBSTANCE IN THE CITY OF NEVADA, EXCEPT IN CONNECTION WITH PUBLIC DISPLAYS OR CELEBRATIONS UNDER THE CONTROL OF THE CITY COUNCIL AND—OR CITY SUPERINTENDENT OF PUBLIC WORKS AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

Be It Ordained by the Council of the City of Nevada:

SECTION 1: No person, or persons, firm, company, corporation, or association, other than as hereinafter permitted, shall fire or discharge any gun, cannon, rifle, pistol, or firearm of any kind, or explode any rocket, firecracker, bomb, Roman candle, torpedo, torpedo cane, blank cartridge or other combustible device or explosive substance, or any kind of fireworks, by whatever name known, within the City Limits of the City of Nevada.

Provided that public displays of fireworks may be given with permission of the City Council under a competent director who understands explosives.

SECTION 2: No person, or persons, shall place any explosive substance on the rails of any railroad company at any time, except when used as signals in the conduct of business.

SECTION 3: The foregoing provisions as to the use of firearms shall not apply to peace officers in the discharge of their official duties and using reasonable care, nor to persons using firearms in necessary self-defense, or in a careful manner for the purpose of destroying noxious animals upon land owned or occupied by them, nor to bona fide gun clubs, nor to bona fide shooting galleries, nor to persons using firearms in a careful manner in a bona fide shooting gallery.

Provided, that blasting may be done for construction, tree planting or other necessary purposes within the limits of the City of Nevada, upon the written permission of the Superintendent of Public Works, and under conditions which will preclude the possibility of injury to persons or property because of said blasting.

SECTION 4: No person, or persons, firm, company, corporation, or association shall sell or offer for sale or expose for sale at retail use within the City of Nevada, any squib, rocket, firecracker, bombs, Roman candle or fire balloon or other combustible fireworks, or any article for the making of a pyrotechnical display, within the limits of the City of Nevada.

SECTION 5: Any person, or persons, firm, company, corporation or association who or which shall violate any of the provisions of this ordinance, shall be guilty of misdemeanor and upon conviction thereof, shall be punished by a fine of not exceeding Five Hundred ($500.00) Dollars or by imprisonment in the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

SECTION 6: All ordinances, or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7: This ordinance shall before going into effect be published in the Nevada City Nugget with the Ayes and Noes for Five (5) days, and shall go into effect on the first day of May, 1938.

Adopted: April 19, 1938.
Ayes: Hall, Davies, Penrose, Leiter, Nye.
Noes: None.
Absent: None.

BENJ. HALL,
President of Board and Mayor.
ATTEST: GEORGE H. CALANAN,
City Clerk.
Apr. 22, 25, 29 and May 2 and 6.

SIERRA COUNTY MINES

ORIGINAL SIXTEEN-TO-ONE MINE

The Original Sixteen-to-One mine at Alleghany is treating 100 tons of ore per day. The group is composed of the Sixteen-to-One, Tightner and other producers. Favorable reports come from new development.

DREADNAUGHT MINE

The Dreadnaught property at Alleghany was reopened last year and the general outlook is promising. Sinking has started on the vein from the new station in the tunnel which is 800 feet in from the portal.

OMEGA MINE

About eight miles of flumes and ditches have been reconditioned at the Omega gravel mine southeast of Washington. The debris dam is well under way and will be used until the Narrows dam is built. The property will be ready for extensive hydraulic operations the latter part of this month. The mine which was closed to hydraulic operations about 50 years ago is known to have extensive gravel deposits. Theodore Larsen is in charge of operations.

PICNIC AT CAMP CELIO

Sunday, Celio Camp was the scene of a picnic. Thirty or more men, women and children of the Seventh Day Adventist church and their friends enjoyed the beautiful grounds and the fine picnic dinner provided by the ladies. All seemed to have had an enjoyable time playing games and wandering over the place.

Mr. McCauley of Celio Camp, with the help of Mr. Dimond has been fixing up a new shower house for the Celio Camp girls.

DRAGLINE OPERATIONS AT DEER CREEK

Arrangements were completed recently by A. B. Ninnis and associates to move their dredger from Oroville district to Deer Creek west of Nevada City where dragline operations will start on property they have under lease. The ground is below the old Champion mine through the Snyder and Taylor tracts to the Newtown bridge. Tests on gravel deposits have been satisfactory and if operations are profitable the company will expand considerably. Fifteen men are employed.

Three truck loads of mining equipment, one containing a huge shovel, passed through Nevada City Wednesday enroute to the property. This shovel will be installed and dragline operations started about Junte first.

GREAT NORTHERN MINE

Drifting an stoping ore continues on the 300, 450, and 600 foot levels in the Hoge or Great Northern mine northeast of Nevada City. A new vein encountered in development work several months ago is showing up very well. A. W. Hoge is superintendent of the property.

GOOD PICKINGS DUE TO HEAVY STORMS

Within the last few weeks of fair weather snipers have been bringng in an unusually large amount of gold. It is coming principally from the North Yuba river, many nearby streams, the Wolf Creek in the southern part of Nevada county. West of Smartville at Parks Bar bridge over the Yuba river it was noted the last week end that there are more snipers camped there than ever before, there being almost a tent city northwest of the bridge. An unusually wet winter has exposed new ground to mine.

LAVA CAP MINE

The Lava Cap mine southeast of Nevada City has just installed a 15,000 cubic foot ventilating fan in the Central shaft. The new underground hoist in the Banner shaft was put in operation Wednesday. The company has installed mercuric arc lamps in the showers in the dry house for the miners. When a miner goes under the shower he gets the benefit of the violet rays. Five minutes exposuse equals a full day of sunshine. This violet ray is also beneficial for bruises and will give a coat of sun tan.

MT. VIEW PROPERTY

Equipment and buildings at the Mt. View mine west of Washington consists of a 20 ton mill, office building, cook house and partial construction of the mill building. The property is ready for spring operation.

BUCKEYE PLACERS

Several men are employed by M. M. Butler and O. W. Kay on the Buckeye Placer property on Green Horn creek northeast of You Bet. Some mining, sluicing and development are being done with satisfactory returns.

WEEDS POINT HYDRAULIC MINE

The unusually heavy rainfall has been a great aid to the Weeds Point Hydraulic mine. Julius A. Casano of Camptonville is in charge and F. C. Homer is president. The Channel Gold Mining company is operating the property. Latest reports give five men employed.

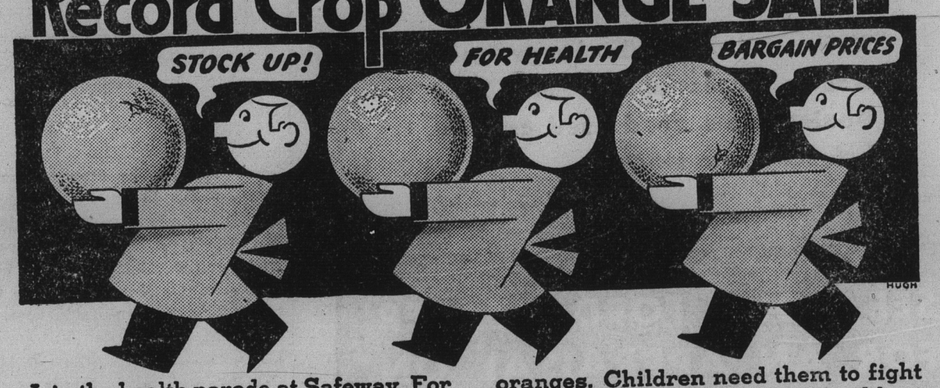
MABEN'S DAIRY

PASTURIZED RAW CREAM AND MILK

Ranch-to-Customer Delivery Service in Nevada City and Grass Valley

Send Up a Postal, Driver Will Call.
ADDRESS, MABEN'S DAIRY, BOX 847, GRASS VALLEY.

Record Crop ORANGE SALE



Join the health parade at Safeway. For a delicious, easy to serve salad or a wholesome, refreshing beverage you can't beat these golden ripe juice-heavy oranges. Children need them to fight colds. Here are armloads of health at bargain prices. Take home a box.

A GROWER-CONSUMER BENEFIT CAMPAIGN

PRICES EFFECTIVE APRIL 22ND TO 28TH, INCLUSIVE

CORN	Large No. 2 can	3 for 25c
Pride of the Farm FLOUR	24½ lb. sk.	69c
Harvest Blossom	49 lb. sk.	$1.29
Kitchen Craft	49 lb. sk.	$1.65
MILK	Tall can	4 for 23c
Maximum MILK	Tall can	3 for 19c
Alpine, Bordens, Carnation, Pet SALAD OIL	10 oz. bottle	14c
Highway Salad Oil	23 oz. bottle	26c
WAX PAPER	40 ft. roll	5c
Diamond Wax Paper	125 ft. roll	15c
CORN FLAKES	Kelloggs	pkg. 7c
PEACHES	Large No. 2½ can	17c
Del Monte PEAS and STRING BEANS		
Pride of the Farm	Large No. 2 can	10c
MAYONNAISE	Quart Jar	45c
Nu Made MAYONNAISE	Quart Jar	37c
Piedmont SALAD DRESSING	Quart jar	33c
Duchess FRENCH DRESSING	8 oz. bottle	14c
Pierres MARSHMALLOWS	Lb. cello bag	13c
Fluffiest SYRUP	Pint jug	19c
Sleepy Hollow	Quart jug	33c
JELL WELL	Regular package	3½c
All Flavors		

DASH
Gran. Soap 35 oz. package 24c
Giant 4 lb. 6 oz. package 44c

SCOTT TOWELS
Large Roll 3 for 25c

LUX SOAP
Regular Bar 6½c

RINSO
Gran. Soap Large package 21c

SUN MAID RAISINS	2 pkgs for	15c
Nectars, large 15 oz. package WALNUTS	Large Lb.	20c
Diamond SUGAR	10 lb. sk.	48c
Fine Granulated AIRWAY COFFEE	Pound pkg.	15c
NOB HILL COFFEE	Pound pkg.	20c
COFFEE	Lb. can 23c.	2 lb. can 45c
Edwards CHEESE	Meadow Grove	pound 19c
CATSUP	14 oz. bottle	10c
Rich Flavor TOILET PAPER	Large roll	3 for 23c
Scott Tissue PORK and BEANS	Lge. 27 oz. can	11c
Van Camps		

SALES TAX ADDED TO ALL TAXABLE ITEMS

SAFEWAY Your friendly GROCER

Herbert's A Good Hotel
$1.50 to $2.50
Desirable, Economical
Comfortable, Convenient
161 POWELL AT O'FARRELL
SAN FRANCISCO

HOTEL CLUNIE
IT'S FAMOUS COFFEE SHOP
AND COCKTAIL BAR
HAVE BEEN REMODELED AND REFURNISHED UNDER NEW MANAGEMENT
Rates from $1.50 Up
Excellent Service—Best Food
8TH AND K STREET, SACRAMENTO, CALIFORNIA
TOY AND JACOBS O. J. JACOBS, Manager

Mr. and Mrs. Arthur Hoge, Jr., motored to Reno, yesterday and attended the wedding of Mrs. Hoge's sorority sister, Miss Loretta Miller at 3 o'clock in the afternoon. The bride teaches botany in the University of Nevada at Reno.

YARDLEYS
English Complexion Treatment

YARDLEY POWDER—a new powder of extra fine texture especially suitable for dry skin

$1.10

Foundation Creme, Complexion Cream, Toning Lotion, Milk of Lavender, Lip Sticks of all shades.

We are Nevada City agents for Yardley English toiletries and always have a fresh, complete stock.

MOTHERS DAY
May 10th

GREETING CARDS—to Mother —other Mother — Mother of some one dear—like a mother.

5c to 50c

Mothers Day Candy—Beautiful Boxes—

50c and up

Margaret Burnham Candy with detachable Whistler Mother Picture for Framing.

DICKERMAN
Drug Store
NEVADA CITY

CIO Version

(Continued From Page Two)

Reisner stated that "the miners had to belong to the league, but they were members of the CIO by choice."

Donnelly testified that the league had a contract with the Lava Cap, but after a vote by the men unde. the auspices of the NLRB in favor of the CIO as bargaining agency and the Lava Cap withdrew from the league contract.

Attorney Reisner stated "It is not a fight between Unions, but a fight between the CIO and the community."

Judge Golden suggested that the commission was called upon to find what part did the union have; what part did the community have and what is the attitude toward law enforcement.

Reisner read a resolution passed by the MWPL, in March, 1937, regarding the meeting of the Committee of 5,000 which resolution has since been rescinded by the union. Donnelly, asked why the resolution was rescinded, stated that he did not know.

A suggestion by Judge Golden that the inquiry was going too far afield by bringing up this question, but the CIO attorney insisted that this gathering was the starting of the "vigilante" movement.

Donnelly said that he was not opposed to the CIO, that it had a right to organize, but he did insist there was not room for two unions in the district. He said that he had made this statement to Governor Merriam at Sacramento.

He denied stating the Governor's commission would give the affair a coat of white wash and that after it had left the CIO would be cleaned out.

Mark Cook on the witness stand stated that he resided on Route 1, Nevada City, for about 4 years, that he owned property there, testified he had a wife and children, and that he had been ordered out of Nevada county.

Mr. Reisner stated he believed a letter received by Al Garesio on March 18, allegedly signed by the "committee of 5000" had a bearing on the case. The letter follows:

"A. Garesio, Nevada City, Calif., If any further trouble occurs here through your do—CIO we will clean out your whole bunch and as for you you dago— —— and your pal Jilbert will get what is coming to you."

Erroll Padgett, a charter member of the CIO local and a resident of the county for 22 months on the witness stand said he was told to get out of town on April 13 by Jim Moore, who he said was a deputy sheriff and hoistman at the North Star mine.

Padgett stated he was on Mill street in Grass Valley, with George Bryner, Joe Cukjati, Jr., and R. J. Harris when a car containing Moore and another man came along. They got out of the car, and Moore approached them and said "What are you fellows doing, stickin' your necks out." Don't you know your are in dangerous territory."

After a short conversation, Padgett said, Moore said, "Don't let the sun go down on you here tonight." "Get out of town and stay out."

Padgett said "We showed 'em we would get out when we wanted." "We left town half an hour later."

Padgeet testified that a mob gathered outside his place in Boston Ravine, about 200 in number, and they were stopping the midnight shift. We could hear them hollering for Bill Kehealy and George Bryner. Shouts were goin' out, "hang 'em."

After they were breaking up, Padgett testified, a miner came into the court and he asked him what was doing. "They are driving all the CIO's out of town" was the asserted reply.

George Bryner was the next CIO witness, who stated he had been here 3 1-2 years, and was employed at the Old Brunswick and Golden Center. He testified to the encounter with Moore, and stated that when he was told "don't stop. Get goin'." by Moore. He said he noticed Hugh and Jack Williams near the scene, Joe Cukpati, Jr., 23, son of Mr. and Mrs. Joe Cukjati and farmer U. C. sturent, testified to the encounter with Moore also. He said he was laid off at the North Star mine after going to Sacramento with the others. He left, he said, because he was afraid of his personal safety.

R. J. Harris, who has been in this section since 1933, and who has worked at most of the mines of the district in that space of time, gave the same testimony as the other three men preceding him.

Grant Spear was then called to the witness stand by Attorney Reisner of the CIO. Spear stated that he was on the picket line the afternoon of April 5, when Ed Brazell was beaten, in what Spear termed a fair fight.

Spear also stated that on the night of April 5 when the Murchie miners dispersed the picket line. He stated that he had gone to bed, and about 1 a. m. was awakened by men outside. They knocked on the door, he said, and he took his shotgun and went to the door, standing in the dark. One of the men he said he recognized as Ed Hurley, a Murchie miner. Both were intoxicated, according to Spear.

He testified Hurley told him "We're not going to put up with this sort of thing in Grass Valley If we find Scott Erwin we are going to string him up."

In departing, Spear said the men told him "All right, Spear, we're going to get you too. You get out of town or else—"

Spear could not remember that Brazell had been called anything but a scab, when attorney Frank Finnegan asked him if Brazell had not been called "a dirty S-b—of a scab."

Russ Flatley, a Lava Cap miner, who has lived in Nevada City two years, testified to his experiences with the Murchie men who had come down to the CIO headquarters and congregated near the Montana Cafe.

Flatley said he was about to go into the Montana Cafe, but he was blocked, and he heard men talking of "lynching Larry" (the proprietor

(Continued on Page Six)

GROCERIES

PINK SALMON Can	14c
WYANDOTTE OLIVES Can	15c
PALACE PEAS 2 cans	25c
MUSHROOM SAUCE Can	9c
SELAX Package	15c
A-1 PANCAKE FLOUR 4 pounds	30c
TYLERS TEA ½ pound	25c
HOT SAUCE 6 cans	25c

J. J. Jackson
Phone 1 Free Delivery

*As compared with other foods in diet, Acme Beer is relatively non-fattening.
ACME BREWERIES
San Francisco
Los Angeles

NEVADA CITY ICE DELIVERY
Nevada City Distributors

THINKING OUT LOUD

(Continued from Page One)

company pleaded that the mine could most economically be worked through the adjoining New Brunswick shaft, and that it was unable to make a profit in the Old Brunswick due to the prevalence of high grading among its employes. With one accord the CIO-communists employed in the Old Brunswick declared that the company had closed the mine to rid itself of the CIO-communist employes. The Labor Board decision last January, giving the CIO-communist a complete and unqualified victory (still to be confirmed or denied in the Federal Courts) was a powerful stimulus to the organizing activity of the CIO-communists. With the exception of their group the entire community regarded the decision not only as a flagrant injustice to the company but also as a blow to the Mine Workers Protective league.

3. Early on the morning of January 15, a strike was declared by the CIO-communists against the Murchie mine. The facts as testified to by Al Garesio, financial secrtary of the local CIO-communists before the State Assembly interim commission sitting in this city in March was as follows: In September the CIO-communists had held a vote whether or not to call a strike at the Golden Center and the Murchie. The vote to strike at the Murchie carried, but was defeated as regards the Golden Center. Asked by Assemblyman Ritchie, chairman of the interim committee, how many had voted, Garesio reluctantly admitted that 35 CIO members had voted, and pressed for the number who had actually voted to strike Garesio admitted that 23 had voted to strike the Murchie. At that time approximately 240 men were employed at the Murchie.

However, according to Garesio's testimony the strike was not called at that time, but was left to the discretion of an executive committee of fifteen men. This strike was called by 15 men, January 15, not all of them, even, employed in the Murchie. A picket line was thrown out on the Red Dog road, a county highway, two bus loads of Lava Cap miners coming off night shift, came over to reinforce that picket line, and more than a hundred men going to work on the Murchie day shift were turned back. There had been no strike vote of the 210 men then employed at the Murchie mine. There had been no demands made to the Murchie mine management. These were flagrant violations of the Wagner act itself.

There followed the return to work on the part of a majority of the Murchie mine workers, under escort of peace officers on January 20 and subsequently, until now there are approximately 130 men at work in the Murchie mine. Frantic attempts on the part of the CIO-communists to enlist the aid of U. S. Labor Secretary, and of the Labor Board itself, failed. It is a fair presumption that these agencies, themselves, regarded the strike as a violation of the Wagner act.

4. Shortly after the Murchie men went to work, two significant developments occurred. First a considerable number of the CIO-communist pickets and members obtained emergency relief. A report of the number and the names thereof appeared sometime since in the columns of this newspaper. Second, a mimeographed sheet, called the "Miners Voice" distributed at night time, began to be published by the local CIO-communists. A complete file of this publication will be placed in the hands of the Governor's commission. Suffice it to say that this publication carried on a campaign of abuse and intimidation that further inflamed public sentiment against the CIO-communists in this community.

These four are the primary reasons for the alignment of the great majority of citizens in Nevada County with the Mine Workers Protective league and the explosion and demonstration of public resentment that occurred on the evening of April 5 and subsequently. There were of course, incidents of law breaking on both sides of the controversy. There was for instance the daily harassing of the Murchie workers passing through the picket lines. And along with this was common knowledge that some of these pickets were being supported at the tax payers expense. It was an extremely aggravating thought to this peaceful community that these pickets, who were violating a county ordinance in calling epithets to the miners, were at the same time a burden to the tax payers. This and other abuses, not perhaps weighty in themselves, finally accumulated beyond the endurance of the community.

BIRTHS

Born—To Mr. and Mrs. John Bertino at Jones Memorial hospital, Grass Valley, April 20, 1938, a daughter. Mrs. Bertino was the former Miss Christy Jane Holmes of Nevada City.

Born—To Mr. and Mrs F. F. Winton, of Colfax, at the Nevada City Sanitarium, Nevada City, April 20, 1938, a son.

Largest Jury

(Continued from Page One)

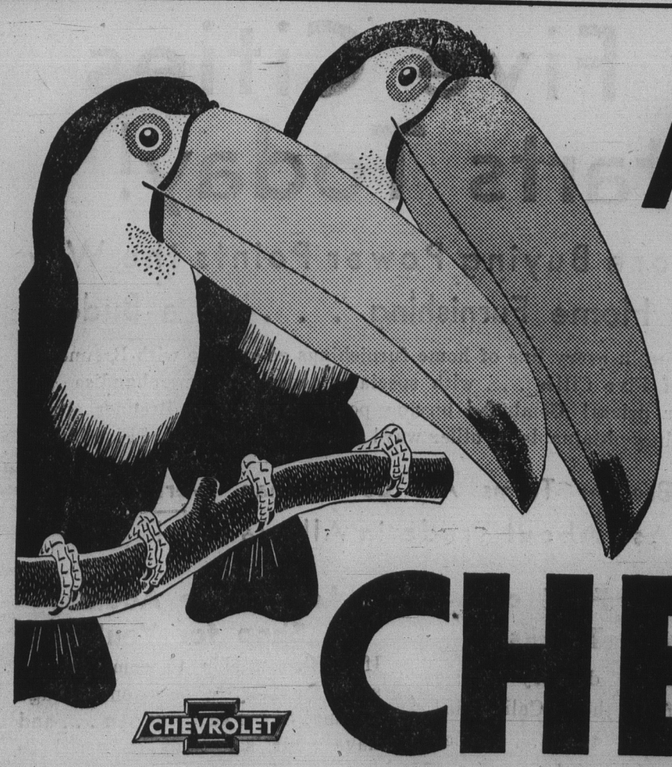
Grass Valley Township—Margaret Heffren, Edna M. Haughland Lynn R. Wright, Elvia E. Morandi, William J. Jenkins, Annie Lopes, Lavinia E. Ray, John B. Stennett, Kenneth Covington, Alma E. Popp, Mary A. Jefford, Evelyn A. Huber, Clarence E. Gassaway, Viola Van Dyke, Fred A. Emery, Frank X. Ducotey, Ada M. Bonivert, Faith D. Jones, Henry E. Brown, Herbert H. Hubbard, Ethel Zocca, Harold Eldredge, Hazel McClure, Frank Provis, Charles H. Green, Bernice Clemo, Howard C. Rule, James R. Maben.

Rough and Ready Township—Jas. A. Fraser, Joseph P. Callaghan, Elmer C. Herneisen, James H. Gleason, Thomas J. Dailey, Albert B. Black, Paul Davis.

Bridgeport Township—John Culver, Charles Alpers.

Meadow Lake Township—Leonora L. Salisbury.

Washington Township — Celia Lowe.



For SMALLER BILLS

You'll be AHEAD with a CHEVROLET

CHEVROLET MOTOR DIVISION, *General Motors Sales Corporation*, DETROIT, MICHIGAN

MOUNTAIN CHEVROLET COMPANY - Grass Valley, Calif.

CIO VERSION

(Continued from Page Five)

of the Murchie).

He testified that Fred Pena, a Murchie miner, recognized him as a CIO, and the crowd started after him shouting "Come on fellows, let's string him up." Flatley said he was beaten and kicked, and was finally rescued by Tony Deschwanden, a Murchie miner. He said the men told him to "get out of town. If we see you around here we'll kill you." This remark he attributed to Vic Gates of the Murchie men.

Flatley said he went to Sacramento, but came back and went to work on his job at the Lava Cap. He described an incident, where a shot was assertedly fired through the rear window of his machine. Flatley said he had taken Elmo Williams home from work, Williams living on the Red Dog road, and when he was returning past the cemetery, a bulet hit his rear window. The shot, he said, came from the cemetery. Flatley said he fired his pistol in the general direction of the shot, but chiefly at the ground.

Fiorenzo Musso, of the New Deal Cafe said his cafe was patronized by CIOs, that on April 7, he testified, men, from 25 to 50, came to his place at about 3 p. m. and all afternoon were in and out of his place "looking for CIO men."

He said that at 9:45 at night a mob of about 250 persons came to the place, and took two men whom he knew as Louis and Carpio and beat them and threw them out. He said the "tore down a CIO sign" and told him there would be "no more CIO signs in this town." Jim Moore, he said, was one of the leaders of the group, in which he recognized Provines, Valeschini,, Pena and Moscartelli.

On leaving the place. Musso said the group told him, "Now close the door, or we will come back and wreck the joint."

Musso said he left for Sacramento on the advise of his partners in the business.

Joe Garesio, brother of Al Garesio, charged Police Chief Garfield Robson had returned to go to the Plaza when he told him there was fighting there, and also had refused to go down to the union hall to protect it.

Garesio also stated that he appealed to Jim Hardy, a deputy sheriff for aid, and was told "Why should I go down? You fellaws started this thing."

Garesio also testified that he heard machines stop in front of his home and he head the occupants say "We've got to get that Al and Joe Garesio."

Bill Masterson, son of a CIO striker at the Murchie told the commission he was beaten up by a mob of 15 or 20 boys, including Carl Tobiassen Jr., and Lucian Cowles, He said the boys were armed with "pipes and pieces of wood."

On cross examination, it developed that there was bad blood between he and young Tobiassen, that they fought in high school. District attorney Stoll charged, it was just a continuance of that trouble, and could not be charged to any breakdown of law and order.

Quartz and placer claim location notice blanks at the Nugget office.

Social Events

Miss Julia Muscardini Married on Easter

A number of relatives motored to Oakland Easter Sunday to attend the wedding of Miss Julia Muscardini, native of this city and youngest daughter of Mr. and Mrs. John Muscardini former Nevada City residents. Five hundred guests attended the elaborate church wedding at three o'clock in the afternoon. There were one hundred ten guests invited to the delicious banquet in the brides home at 5 o'clock and five hundred more were also at her home for the reception held from 8 to 12 o'clock in the evening.

The bride was beautiful in a white satin gown, the dress and veil being rimmed in pearls. She received many beautiful gifts.

At 10 o'clock the young couple left on a honeymoon in southern California and plan to go to Mexico City before returning home.

Nevada City relatives attending were an aunt, Mrs. Valentine Casci, husband and children; uncles, Joe Muscardini; Clemente Muscardini and wife, Mrs. Imogene Henwood, two children, Joyce and Clemente, Misses Ellen and June Curtis, Elisha Curtis and Al Joyner.

N. Bloomfield Couple Celebrate 45th Anniversary

Happy greetings were extended to Mr. and Mrs. A. J. Kinney of North Bloomfield who celebrated their forty fifth wedding anniversary Tuesday. A few friends were present to enjoy a most delightful afternoon with the highly esteemed couple. They have resided in the little city most of their lives. Mr. Kinney is a former employe of the Pacific Gas and Electric company.

Forest Service Ladies Enjoy Bridge Luncheon

The wives of the Tahoe National Forest service employees enjoyed another of their delightful monthly meetings Wednesday with Mrs. W. P. Lee as hostess. A dinner was enjoyed at the National Hotel after which contract bridge and rummy were played. Prizes were awarded to Mrs. Leland Smith, first, and Mrs. Thelma Kuseff, second in contract. Mrs. Nicols won first prize in rummy. Wives of several of the rangers who live out of town were present for the afternoon.

MRS. MARY CLUTTER, 91, GREETED ON BIRTHDAY

Mrs. Mary Clutter, who has resided in Nevada City 81 years, celebrated her 91st birthday at her home on Nevada street Wednesday afternoon. Friends called, sent greetings and many bouquets of lovely flowers shows the esteem in which she is held. She was born in Pennsylvania and came via boat from New York to the Isthmus of Panama, crossed over on the train and again took a boat crowded with passengers for San Francisco and Sacramento. From there she came with her mother and a sister to Marysville and then to Nevada City. Happy memories fill a long and useful life which has been spent in kindly deeds and faithful work.

Ranger Frank McCaslan of North Bloomfield was a business visitor in Nevada City Wednesday.

Scott Erwin, late of this city, now of Sacramento, was a visitor here yesterday.

Cemetery Plot Owners

The Nevada City Monumental Works offers you the best there is in granite and concrete grave curbings, polished Markers and Monuments. Classic new designs to choose from and a large stock of finished work on hand.

Granite curbings at $3.00 a foot in Grass Valley and Nevada City. Write for folders and prices, or call at our yard on Factory Street at the head of the Champion Road.

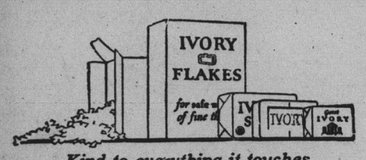
L. NETZ

PHONE 234-J NEVADA CITY

COLFAX TUES. MAY 3

TWICE DAILY, 2 AND 8 P. M. DOORS OPEN AT 1 AND 7 P. M.

Quality Merchandise!



Kind to everything it touches

IVORY FLAKES per package 22c

IVORY SOAP 3 medium bars ..... 19c; 2 large bars 19c

WESTLAKE PEACHES 2—No. 2½ cans ..... 35c; 6—No. 2½cans 98c

NEW NUCOA 1 lb. ..... 21c; 2 lbs. 40c

CHASE & SANBORN'S DATED COFFEE 1 lb. 26c

CALIFORNIA HOME BRAND CATSUP 2—14 oz. bottles for 25c

Save on Zee 4 ROLLS 19c

EASY ON YOUR HANDS

P & G SOAP 6 Giant bars 28c

KRAFT'S DINNER A meal for 4 in 9 minutes. Per pkg. 16c

S & W GRAPEFRUIT 2—No. 2 cans ..... 31c; 6—No. 2 cans 87c

H-O OATS Quick or regular. Small pkg. ..... 13c; Large pkg. 27c

DRIFTED SNOW FLOUR Home perfected. 24½ lbs. ..... $1.12; 49 lbs. $2.18

LIBBY'S CORNED BEEF 2—12 oz. cans 39c

OXYDOL 1 lb. 8 oz. pkg. ..... 22c; 4 lb. 2 oz. pkg. 59c

A COMPLETE LINE OF GARDEN TOOLS, LAWN MOWERS, RUBBER GARDEN HOSE, PLANTS AND SEEDS

ORDER BY PHONE, PROMPT, FREE DELIVERY

Phones 160 and 225

Prices Effective from April 22nd to 29th

PLAZA GROCERY

BIG SHOW ! !

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Talented Children of THE VARIETY STUDIOS

"Where the students get actual experience"

At the BROADWAY THEATRE

Tonight - April 22

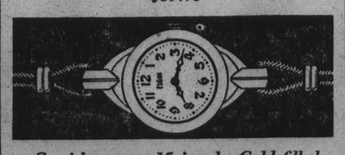
Nevada City Branch — Odd Fellows Hall Every Thursday

"First Honors" for your graduate-to-be

...an ELGIN for Commencement

● Many times a day, for years and years, a graduation Elgin will remind him of your generosity and love. Why not make your selection today? Our latest models have a distinctive, modern flare, as well as a proud honesty of workmanship that does credit to the ancient watchmaker's art. Elgin prices will please you.

17 jewel "Crusader". Gold filled case $39.75



Semi-baguette, 15 jewels. Gold filled case. $39.75

HARTUNG'S

DEPENDABLE JEWELERS

124 Mill St. Grass Valley

Nevada Theatre

FRIDAY

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SATURDAY

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